



W.P.(MD) No.10274 of 2021

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.04.2024

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.10274 of 2021

and

W.M.P.(MD) Nos.7957 & 7959 of 2021

M/s.Chopra Timbers,
Represented by Proprietor
Harsukh Lal Patel,
S/o.Devji Bhai Patel,
95/3, NA, G.N.T. Road,
Tiruvallur, Chennai – 600 066,
Tamil Nadu.

... Petitioner

Vs.

1.The Union of India,
Rep. by its Under Secretary,
Ministry of Agriculture and Farmers Welfare
Department of Agriculture,
Krishi Bhavan, New Delhi.

2.The Plant Protection Officer,
Plant Quarantine Station,
Door No.101, Plot No.110, 2nd Street,
C.G.E. Colony, Tuticorin District.

3.The Plant Protection Officer,
Plant Quarantine Station,
Chennai.

... Respondents



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Prayer: Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Certiorari calling for the records relating to Condition No.3 of Office Memorandum in O.M.No.8-325/2019-PP.II dated 19.06.2020 issued by the first respondent and quash the same as illegal.

For Petitioner : No appearance

For Respondents : Mr.S.Jeya Singh
Standing Counsel

ORDER

There is no representation for the petitioner.

2. This Writ Petition has been filed for issuance of a Writ of Certiorari calling for the records relating to Condition No.3 of Office Memorandum in O.M.No.8-325/2019-PP.II dated 19.06.2020 issued by the first respondent and quash the same as illegal.

3.The issue is covered against the petitioner by the order of this Court dated 19.04.2022 passed in the case of **M/s.BXP Trading Corporation Vs. The Union of India and others** in W.P.(MD) No.8270 of 2020, wherein, the decision of the principal seat of this Court in a batch



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of cases in W.P.No.18405 of 2019 etc. batch in **M/s.Best Timbers Vs.**

Union of India and others, rendered on 06.09.2021, was followed.

4. Hence, this Writ Petition is dismissed by giving liberty to the petitioner to challenge the vires of the Plant Quarantine (Regulation of Import into India) Order, 2003 or any other Rules which empowers the first respondent to levy penalty, if so advised, in terms of the above order of the principal seat of this Court dated 06.09.2021 passed in W.P.No. 18405 of 2019 etc. batch. No costs. Consequently, connected Miscellaneous Petitions are closed.

08.04.2024

Index: Yes / No

Neutral Citation: Yes / No

Speaking Order / Non-Speaking Order

JEN

Copy To:

1.Under Secretary,
Department of Agriculture and Farmers Welfare,
Government of India,
Krishi Bhavan, New Delhi.

2.The Plant Protection Officer,
Plant Quarantine Station,
Door No.101, Plot No.110, 2nd Street,
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3.The Plant Protection Officer,
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C.SARAVANAN, J.

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